

DEFICIENCY PROGRESS REPORT – UPDATE 3

Submitted: January 22, 2010

CUPA: **El Dorado County Environmental Management Department**

Evaluation Date(s): January 7 and 8, 2009

Evaluator(s): Jennifer Lorenzo (now Ernie Genter), Cal/EPA
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Update 1 Submittal Date: June 30, 2009

Deficiencies corrected with Update 1: #6, 7, 8, 9 and 10.

Status: Deficiencies 1, 2, 3, 4, and 5 remain outstanding.

Update 2 Submittal Date: September 30, 2009

Deficiencies corrected with Update 2: #1, 2 and 3

Status: Deficiencies 4 and 5 remain outstanding.

Update 3 Submittal Date: January 25, 2009

Deficiencies corrected with Update 3: 4 and 5

Status: All deficiencies have been corrected. No deficiencies remain outstanding.

Deficiency 4: The CUPA has not inspected some of its regulated businesses that are subject to the hazardous materials release and inventory reporting requirements (business plan) at least once every three years.

Corrective Action: On an annual basis, the CUPA shall inspect all facilities at least once every three years. Commencing April 30, 2009, the CUPA will track and submit their progress toward correcting this deficiency, including the number of facilities inspected via the quarterly deficiency progress reports.

CUPA Update 1: Following the program evaluation in January, Hazmat Division field staff were directed to spend a higher percentage of work hours conducting CUPA facility inspections. As a result the number of facilities inspected during the last three years has increased from 535 out of 714 or 75% on 12/31/08 to 628 out of 715 or 88% on 6/30/09.

Of the remaining 87 facilities not yet inspected, over 70 are Aboveground Storage Tank facilities. We had been postponing most of those inspections, waiting for the State to fulfill their obligation to utilize funds collected from operators and present AST training. Our inspection staff completed the AST training on 6/25/09. Now they are beginning to conduct inspections of those

Cal EMA's Response: *Cal EMA is satisfied with the CUPA's efforts in correcting the deficiency. Cal EMA looks forward to following the CUPA's continued efforts to correct this deficiency*

CUPA Update 2: During the last quarter staff conducted many additional facility inspections bringing our completion percentage up to 96% (707 out of 736). Of the remaining 29 facilities not yet inspected, most are Aboveground Storage Tank facilities that will be inspected within the next few months.

Comments to Update 2: *Cal EMA is satisfied with the CUPA's efforts in correcting the deficiency. Cal EMA looks forward to following the CUPA's continued efforts and inspection of the final 29 facilities to correct this deficiency.*

CUPA Update 3: During the last quarter staff conducted inspections of all regulated facilities that had not previously been inspected within the last three years. All 29 remaining facilities and an additional 92 were inspected, for a total of 121 inspections conducted during the 10/1/09 – 12/31/09 period.

CalEMA Response: *Cal EMA is satisfied with the CUPA's efforts, the CUPA's has corrected both the deficiency.*

Deficiency 5: The CUPA is not forwarding business plan information to fire agencies within 15 days of receipt and confirmation.

Corrective Action: The CUPA will forward data collected to other local agencies within 15 days of receipt. The CUPA will develop and submit a plan of correction with the first progress report due June 30, 2009.

CUPA Update 1: Department staff drafted and sent an email on 3/23/09 to all 14 Fire Chiefs (See Deficiency 6 Attachment). Four District Fire Chiefs (Pioneer, Lake Valley, Rescue and El Dorado Hills) have since responded by email indicating they are willing to continue to accept the information on a quarterly basis. One responded in person (El Dorado County). The rest have not yet responded. During the next quarter those chiefs will be contacted directly.

Cal EMA's Response: *Cal EMA is satisfied with the CUPA's efforts in correcting the deficiency. Cal EMA looks forward to following the CUPA's continued efforts to correct this deficiency.*

CUPA Update 2: Of the nine remaining Fire Districts, four additional district Chiefs (John Pang-Meeks Bay, Bill Dekker-Garden Valley, Mike Webb-Cameron Park and Bill Davis-Mosquito) have agreed to the quarterly schedule. The other five (Diamond/ El Dorado, Georgetown, Cameron Park, Latrobe, Fallen Leaf and South Lake Tahoe) have yet to respond to our inquiry. None of the chiefs contacted to date have refused to accept the reports on a quarterly basis.

Comments to Update 2: *Cal EMA is satisfied with the CUPA's efforts in correcting the deficiency. Cal EMA looks forward to following the CUPA's continued efforts to correct this deficiency.*

CUPA Update 3: Of the five remaining Fire Districts, four additional district Chiefs (Todd Cunningham Diamond Springs, Greg Schwab Georgetown, Lorenzo Gigliotti South Lake Tahoe, and Chris Couper Latrobe) have agreed to the quarterly schedule. The remaining District (Fallen Leaf) has yet to respond to our inquiry because they do not currently have a Fire Chief and they close for the winter. Therefore we will forward data collected from facilities in the Fallen Leaf Fire District within 15 days of receipt. This is not expected to be

a significant impact because fallen leaf is a small, seasonal, residential community that currently has only three regulated facilities.

CalEMA Response: *Cal EMA is satisfied with the CUPAs efforts, the CUPA's has corrected both the deficiency.*